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UNCLAS SECTION 01 OF 02 GUATEMALA 000428

SIPDIS

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SUBJECT: PRISON RIOT KILLS GERARDI MURDERER, SIX OTHERS

REF: 02 GUATEMALA 3281

1. Summary. Sergeant Jose Obdulio Villanueva, serving a 30-year sentence for the murder of Bishop Gerardi, was decapitated along with three other inmates during a prison riot on February 12. The riot was an internal power struggle between two groups of inmates. The sixth prison uprising in the past seven weeks, this one has taken on added significance due to the presence of several former military men involved in Guatemala's two most prominent Human Rights murder cases. Conspiracy theories are running rampant due to Villanueva's key role in the Gerardi murder coupled with the successful evacuation of three military officers being held in connection with the murder of Myrna Mack. End Summary.

Background to a riot

2. On December 23, 2002, the bloodiest prison riot in recent Guatemalan history left 14 dead in the Pavoncito Detention Center (reftel). Although Pavoncito remains, in large part, under the internal control of the inmates, many gang members were transferred to the Zone 18 Detention Center. Within three days of their arrival, these inmates attempted an unsuccessful riot. The Zone 18 Detention Center has been largely under the control of inmates with military and police backgrounds, led by Captain Lima who, like Villanueva, received a 30-year sentence for his role in the Gerardi murder. Lima's control, maintained through extortion and violence, was challenged by the ex-mayor of Cuilapa, Edwin Franco, an inmate with connections to organized crime.

What happened

3. In the early morning of February 12, just after prisoners from cell block eight were released into to the yard for routine exercise, inmates from the Franco faction in blocks one and two either broke out or were let out of their cells (there are conflicting official reports as whether the cell doors were forced). The prisoners entered the empty block eight and proceeded to break through the wall into block seven--exclusive territory of the military inmates. For about forty minutes, the inmates in block seven managed to hold off their attackers and at the same time to open another hole in the opposite wall through which many escaped into a patio area near the center entrance that was under police custody. By noon the worst was over and some wounded inmates were transferred to San Juan de Dios Hospital. By 3:00 PM authorities were able to remove visiting family members trapped by the violence in the center. At 9:00 PM authorities were able to confiscate cell phones and numerous improvised weapons. Full control has not been restored as a result of a 24-hour ultimatum issued to prison authorities by Lima, some 200 gang members were transferred back to Pavoncito.

The Mack Suspects

4. Police removed the three military officers implicated in the 1990 murder of anthropologist Myrna Mack (General Edgar Godoy, Colonel Oliva, and Colonel Valencia) from the detention center without incident. The officers were taken to the military's Cuartel General but, in a positive development, the Cuartel Commander refused to take custody because the police did not have a judicial order authorizing the transfer. The suspects were then taken to El Boqueron, a newly re-opened maximum security facility in Santa Rosa Department where they are currently the only inmates. Note: Prison directors have authority to make transfers without judicial orders under emergency circumstances, even to military jails. Human rights groups have been concerned that these officers would easily escape if transferred to a military prison. In the 1990 murder of American citizen Michael Devine, Captain Contreras escaped within hours of being convicted and transferred to a military prison. End Note.

Comment

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15. Although Villanueva's violent execution was the result of a riot sparked by an internal power struggle, the persistence of the conspiracy theories and rumors fueled by these latest prison riots are a fresh indication of how little faith Guatemalans have in their government. The zone 18 riot harshly reminded the public that official corruption threatens lives. Over the last several weeks, news of official corruption, prison riots, and skyrocketing crime rates have been the daily fare of all major news networks. News of the latest riot also reminded the public that their government has not been able to reassert complete control over the inmates in Pavoncito (where gang members have just been reinserted). Captain Lima's successful ultimatum confirmed for most Guatemalans that criminals run the prison system.